

United States Bankruptcy Court

For the NORTHERN District of IOWA

IN RE:

JOSEPH B. TRYGSTAD and
PAMELA S. TRYGSTAD,

}

Case No. X87-00191M

Chapter 7

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

JUL 22 1988

[OR]

BARBARA A. EVERLY, CLERK

The issues of this proceeding having been duly considered by the Honorable _____, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED:

that the Farmers Home Administration shall compensate the Federal Land Bank of Omaha for the expense of honoring the subpoena in the above-related circumstance, and that the payment to Federal Land Bank of Omaha be in the amount of \$10.00.

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copies mailed with Order 7/20/88
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BARBARA A. EVERLY
Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 7-22-88

By: Lavinia McElroy
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

JUL 22 1988

IN RE:

JOSEPH B. TRYGSTAD and)
PAMELA S. TRYGSTAD,)
)
Debtors.)

Chapter 7
BARBARA A. EVERLY, CLERK
Bankruptcy No. X87-00191M

ORDER RE: FARMERS HOME ADMINISTRATION SUBPOENA OF
FEDERAL LAND BANK OF OMAHA

By notice of May 23, 1988, the court set for hearing in Mason City, Iowa at 1:15 P.M. the motion of the debtors to determine secured party status and avoid the unsecured claim of the United States, acting on behalf of the Farmers Home Administration (FmHA).

Per the request of the parties, the matter was continued to a later date to allow the parties to complete discovery.

The FmHA, through its counsel, served Federal Land Bank of Omaha, Dixie Anderson, with a subpoena requiring her appearance at the hearing on July 20, 1988 in Mason City, Iowa. Her office is in Mason City.

Neither FmHA nor its counsel, the Assistant United States Attorney, notified Dixie Anderson that her presence would not be necessary because of the requested continuance. Dixie Anderson appeared. The court questioned Dixie Anderson and finds that neither Dixie Anderson nor the Federal Land Bank of Omaha were tendered fees for mileage with regard to the honoring of the subpoena.

The court finds it appropriate that Federal Land Bank of Omaha

be compensated for its expense in attending the hearing on July 20, 1988.

IT IS THEREFORE ORDERED that the Farmers Home Administration shall compensate the Federal Land Bank of Omaha for the expense of honoring the subpoena in the above-related circumstance, and that the payment to Federal Land Bank of Omaha be in the amount of \$10.00.

SO ORDERED ON THIS 22 DAY OF JULY, 1988.



William L. Edmonds, Bankruptcy Judge

cc: Larry Eide
Jeffrey Goodman
U. S. Trustee
on 7/22/88, *LN*